



DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2021-1145; Airspace Docket No. 21-AGL-35]

RIN 2120-AA66

Amendment of Class E Airspace; Multiple Michigan Towns

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the Class E airspace at Cadillac, MI; Ludington, MI; and Manistee, MI. This action due to airspace reviews conducted as part of the decommissioning of the Manistee very high frequency (VHF) omnidirectional range (VOR) as part of the VOR Minimal Operational Network (MON) Program. The names and geographic coordinates of various airports are also being updated to coincide with the FAA's aeronautical database.

DATES: Effective 0901 UTC, July 14, 2022. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order JO 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order JO 7400.11F, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at https://www.faa.gov/air_traffic/publications/.

For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends the Class E airspace extending upward from 700 feet above the surface at Wexford County Airport, Cadillac, MI; Mason County Airport, Ludington, MI; and Manistee County/Blacker Airport, Manistee, MI, to support instrument flight rule operations at these airports.

History

The FAA published a notice of proposed rulemaking (NPRM) in the *Federal Register* (86 FR 73202; December 27, 2021) for Docket No. FAA-2021-1145 to amend the Class E airspace at Cadillac, MI; Ludington, MI; and Manistee, MI. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order JO 7400.11F, dated August 10, 2021, and effective September 15, 2021, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in FAA Order JO 7400.11.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021. FAA Order JO 7400.11F is publicly available as listed in the ADDRESSES section of this document. FAA Order JO 7400.11F lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting

points.

Differences from the NPRM

Subsequent to publication, the FAA discovered a typographical error in the title of the NPRM, “**Proposed Establishment of Class E Airspace; Multiple Michigan Towns**” should have been “**Proposed Amendment of Class E Airspace; Multiple Michigan Towns**”. As this error was only in the title and does not impact the actual airspace being amended, it has been corrected in this action.

The Rule

This amendment to 14 CFR part 71:

Amends the Class E airspace extending upward from 700 feet above the surface to within a 6.6-mile (decreased from a 6.7-mile) radius of Wexford County Airport, Cadillac, MI; and removes the city associated with the airport in the header to comply with changes to FAA Order JO 7400.2N, Procedures for Handling Airspace Matters;

Amends the Class E airspace extending upward from 700 feet above the surface to within a 6.6-mile (decreased from a 7-mile) radius of Mason County Airport, Ludington, MI; removes the city associated with the airport in the header to comply with changes to FAA Order JO 7400.2N; and updates the geographic coordinates of the airport to coincide with the FAA’s aeronautical database;

And amends the Class E airspace extending upward from 700 feet above the surface to within a 6.6-mile (decreased from a 7-mile) radius of Manistee County/Blacker Airport, Manistee, MI; removes the Manistee VOR/DME and associated extensions from the airspace legal description; adds an extension 6.5 miles north and 5.3 miles south of the 091° bearing from the Manistee County/Blacker Airport: RWY 28-LOC extending from the 6.6-mile radius of the airport to 16.5 miles east of the Manistee County/Blacker Airport: RWY 28-LOC; adds an extension 2.2 miles each side of the 271° bearing from the airport extending from the 6.6-mile radius of the airport to 10 miles west of the airport; and updates the airport name (previously

Manistee County—Blacker Airport) to coincide with the FAA’s aeronautical database.

This action is due to airspace reviews conducted as part of the decommissioning of the Manistee VOR, which provided navigation information for the instrument procedures at these airports, as part of the VOR MON Program.

FAA Order JO 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures,” paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11F, Airspace Designations and Reporting Points, dated August 10, 2021, and effective September 15, 2021, is amended as follows:

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

* * * * *

AGL MI E5 Cadillac, MI [Amended]

Wexford County Airport, MI

(lat. 44°16'31"N., long. 85°25'08"W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Wexford County Airport.

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AGL MI E5 Ludington, MI [Amended]

Mason County Airport, MI

(lat. 43°57'45"N., long. 86°24'29"W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Mason County Airport.

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AGL MI E5 Manistee, MI [Amended]

Manistee County/Blacker Airport, MI

(lat. 44°16'21"N., long. 86°14'49"W.)

Manistee County/Blacker Airport: RWY 28-LOC

(lat. 44°16'22"N., long. 86°15'31"W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Manistee County/Blacker Airport, and within 6.5 miles north and 5.3 miles south of the 091° bearing from the Manistee County/Blacker Airport: RWY 28-LOC extending from the 6.6-mile radius of the airport to 16.5 miles east of the Manistee County/Blacker Airport: RWY 28-LOC, and within 2.2 miles each side of the 271° bearing from the airport extending from the 6.6-mile radius of the airport to 10 miles west of the airport.

Issued in Fort Worth, Texas, on April 5, 2022.

Martin A. Skinner,
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ATO Central Service Center.

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